

Judge Leighton

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA, *ex rel.*  
TRACIE K. KENDALL,

Relator,

v.

CHIEF LESCHI SCHOOL, INC., the PUYALLUP  
TRIBE of INDIANS,

Defendants.

No. C07-05220-RBL

**UNDER SEAL**

**ORDER**

The United States has notified the Court of its decision to decline to intervene in this action, simultaneously moving (without opposition from Relator) for an order lifting the seal, and providing Relator 45 days to complete service on the Defendants. In the event that Relator fails to complete service on the defendants within this time frame, the government requests that the Court dismiss the case without prejudice. The Court finds the motion well taken. It is therefore ORDERED:

- 1) That this case is hereby UNSEALED in its entirety;
- 2) That Relator shall have 45 days from the entry of this Order to complete service of the Complaint on Defendants; and

**Order** United States' Notice of Election  
to Decline Intervention and Motion to  
Lift the Seal - (C07-5220-RBL) – 1  
FILED UNDER SEAL

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101-1271  
(206) 553-7970

1 3) That in the event Relator fails to complete service on Defendants within 45 days of  
2 the date of this Order, the Court will enter an Order dismissing this case without  
3 prejudice to the Relator and without prejudice to the United States.

4 In the event the Relator competes service and undertakes the active prosecution of this  
5 case, all pleadings filed in this action, and all Orders entered by the Court shall continue to be  
6 served upon the United States; and the United States may order any deposition transcripts taken  
7 by the parties in this case. The United States may also, for good cause, intervene in this action  
8 after providing notice to the Relator, and obtaining the approval of the Court.

9 DATED this 8<sup>th</sup> day of April, 2008

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12 RONALD B. LEIGHTON  
13 UNITED STATES DISTRICT JUDGE  
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15 Presented by:

16  
17 /s/

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19 PETER A. WINN  
20 Assistant United States Attorney  
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